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09/916,535 07/27/2001		Randall Woods	26178-RE	9049	
23589 7	590 01/14/2002	•			
HOVEY WILLIAMS TIMMONS & COLLINS 2405 GRAND BLVD., SUITE 400 KANSAS CITY, MO 64108			EXAMINER		
			TRIEU, VAN THANH		
			ART UNIT	PAPER NUMBER	
		2632			
			DATE MAILED: 01/14/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.

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Application No. G9916.535 WCODS, RANDALL						2.X				
Examinar	Office Action Summary		Application	No.	Applicant(s)	<i>V</i> -()				
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2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 16-29 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 Claim(s) 16-29 is/are rejected. 7 Claim(s) is/are objected to. 8 Claim(s) 16-29 is/are rejected. 7 Claim(s) is/are objected to. 8 Claim(s) is/are objected to by the Examiner. 4application Papers 9 The prepare 10 In the drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11 The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12 The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some coll hor priority documents have been received in Application No. 2 Certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15 Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 endor 121. Attachment(s) 10 Notice of References Cited (PTO-982) 8	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).									
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DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 16-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear of how to get the magnetic field to shift the ferromagnetic body in a switch-closed or switch-open orientation by only a single magnetic assembly mounted in the first member as claimed in the independent claims 16 and 23. As described in the specification, it requires to have an external magnetic element or a second magnetic element mounted on the second member for providing that magnetic field strength as the movement relationship between the first member and the second member. In order word, the independent claims 16 and 24 are not functionally properly without the second magnet element mounted on the second member or the external magnetic element.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to primary examiner **Van Trieu** whose telephone number is (703) 308-5220. The examiner can normally be reached on Mon-Fri from 7:00 AM to 4:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (703) 305-4717.

The office facsimile number is (703) 872-9314.

Van Trieu

Primary Examiner

Date: 12/31/01